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Supreme Court
SCPW-13-0000140
20-MAR-2013
02:45 PM

SCPW-13-0000140

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MICHAEL C. TIERNEY,
Petitioner,

vs.

TED SAKAI, DEPARTMENT OF PUBLIC SAFETY FOR THE STATE OF HAWAI'I,
Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

Upon consideration of petitioner Michael C. Tierney's petition for a writ of mandamus, which was filed on March 6, 2013, and the documents attached thereto and submitted in support thereof, it appears that petitioner fails to demonstrate that he has a clear and indisputable right to unlimited free legal mail and materials. Petitioner, therefore, is not entitled to mandamus relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999) (a writ of mandamus is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied.

DATED: Honolulu, Hawai'i, March 20, 2013.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

